

230744



From: Karen Lesto
To: Graham, John
Date: 4/16/2009 1:33:15 PM
Subject: Re: Fwd: Marc Policastro 732-757-7382

The 1st step to proposing a DN is have written proof of the property owner's agreement to record it. Without the property owner's OK, it would be a deficiency to propose something that was never feasible. This sounds like the reason Freidman is reaching out to the prop. owner. Delineation can (& must) be completed eventually for DEP to approve it.

>>> Gene Fowler 4/16/2009 12:26 PM >>>
RE: Unimatic / E20010335

I spoke with Mark Policastro, attorney representing the property owner (Framework, Inc.). Bill Friedman told Policastro that Unimatic wants to propose a deed notice and they need the property owner to agree. I was asked if that is reasonable and I said that Unimatic is far from delineating/remediating to 0.2-mg/kg for PCBs in soil. Therefore, I cannot accept/approve a deed notice proposal.

I was told that Friedman wants to submit another revised RIW with a schedule by the 4/18 due date. I told Policastro that Friedman told me Unimatic can't implement anything that they submit to us. Policastro told me that Friedman told him the same. I said that Unimatic's submittal cannot be reviewed and we are not granting an extension. If we receive the RIW, we cannot spend time reviewing a document that cannot be implemented.

CC: Fowler, Gene

4-23-09

Ben Alter and I spoke about the
forthcoming RIW ~~EB~~